

Panaji, 2nd January, 1986 (Pausa 12, 1907)

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OFFICIAL



GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

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AND DIU

Tourism, Information and Transport Department

## Notification

5/12/82-HD(G)-Vol.II

The following notification received from the Government of India, Ministry of Shipping and Transport (Transport Wing), New Delhi, is hereby republished for general information of the public.

T. J. Faleiro, Under Secretary (STE).

Panaji, 29th November, 1985.

GOVERNMENT OF INDIA  
MINISTRY OF SHIPPING AND TRANSPORT  
(Transport Wing)

New Delhi, the 18th November, 1985

## Notification

S.O. No. 834(E) In exercise of the powers conferred by sub-section (3) of Section 36 of the Motor Vehicles Act, 1939, the Central Government hereby accords approval to the Registration of following two vehicles with the maximum safe laden weight and dimensions of the vehicles mentioned in the Schedule appended hereto:—

## SCHEDULE

1. Type of vehicle	— Articulated Semi-trailer - Tractor combination (Goods vehicle).
2. a) Engine and Chassis number of tractor	— ALI-3511 and AL 804593 respectively.
b) Chassis number of Tractor	— C20T-1206 AS.
c) Registration number	— TMT 5365.
3. Dimensions	— Length — 15.615 metres — Width — 2.591 metres — Height — 3.353 metres
4. Recommended loads	— Front axle of Truck (2 tyres) — 6.288 tonnes — Rear axle of Truck (4 tyres) — 9.990 tonnes — Rear tandem axle of semi trailer (8 tyres) — 16.334 tonnes — Maximum safe axle weight of the combination — 32.522 tonnes

5. Owned by

— Shri Murugan Transports, 1 Thatha Muthiappan Street, Madras — 600 001.

2. The above relaxation for the purpose of assigning higher weight limits in respect of the tractor-trailers, the description of which is indicated above, is given for the operation of the tractor-trailers on the routes recommended by the Government of Tamil Nadu.

3. The relaxation is also subject to the condition that the operations of these vehicles shall be done only sparingly and also subject to local restrictions as might be in force.

4. Such an operation will be with the prior approval of the concerned State PWD and on the route as may be specified by the said State PWD authority, and will also be subject to such conditions as the State Government may specify for the safety of structures, roads, bridges, culverts and with due regard to safety to all road-users, for which both the State PWD and the Police authorities will be kept duly informed by the operator, every time the operations are effected.

Sd/-

(A. P. SINH)

Joint Secretary to the Govt. of India.

[TW/TGM(39)/83]

Law Department

Legal Affairs Branch

## Notification

LD/8/3/85-L.A.A.B.

The Electricity (Supply) Amendment Act, 1984 (No. 48 of 1984) and the Industrial Disputes (Amendment) Act, 1984 (No. 49 of 1984) which were passed by Parliament and assented to by the President of India on 16th August, 1984 and published in the Gazette of India, Extraordinary, Part II dated 17-8-1984, are hereby republished for the general information of the public.

B. S. Subbanna, Under Secretary (Drafting).

Panaji, 10th May, 1985.

## The Electricity (Supply) Amendment Act, 1984

AN

ACT

*further to amend the Electricity (Supply) Act, 1948.*

Be it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

**1. Short title and commencement.**— (1) This Act may be called the Electricity (Supply) Amendment Act, 1984.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

**2. Amendment of section 28.**— In section 28 of the Electricity (Supply) Act, 1948 (hereinafter referred to as the principal Act), after sub-section (2), the following sub-section shall be inserted, namely:—

54 of 1948.

“(2A) The Board or, as the case may be, the Generating Company shall, as soon as may be after it has sanctioned any scheme which is not of the nature referred to in section 29, forward the scheme to the Authority and, if required by the Authority so to do, supply to the Authority any information incidental or supplementary to the scheme within such period as may be specified by the Authority.”

**3. Amendment of section 29.**— In section 29 of the principal Act, in sub-section (1), for the words “one crore of rupees”, the words “five crores of rupees” shall be substituted.

## The Industrial Disputes (Amendment) Act, 1984

AN

ACT

*further to amend the Industrial Disputes Act, 1947.*

Be it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

**1. Short title and commencement.**— (1) This Act may be called the Industrial Disputes (Amendment) Act, 1984.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions of this Act.

**2. Amendment of section 2**— In section 2 of the Industrial Disputes Act, 1947 14 of 1947. (hereinafter referred to as the principal Act), in clause (oo), after sub-clause (b), the following sub-clause shall be inserted, namely:—

“(bb) termination of the service of the workman as a result of the non-renewal of the contract of employment between the employer and the workman concerned on its expiry or of such contract being terminated under a stipulation in that behalf contained therein; or”.

**3. Amendment of section 25F.**— In section 25F of the principal Act, in clause (a), the proviso shall be omitted.

**4. Amendment of section 25M.**— In section 25M of the principal Act,—

(a) in sub-section (1), for the words “with the previous permission of such authority as may be specified by the appropriate Government by notification in the Official Gazette, unless such lay-off is due to shortage of power or to natural calamity”, the words and brackets “with the prior permission of the appropriate Government or such authority as may be specified by that Government by notification in the Official Gazette (hereafter in this section referred to as the specified authority), obtained on an application made in this behalf, unless such lay-off is due to shortage of power or to natural calamity, and in the case of a mine, such lay-off is due also to fire, flood, excess of inflammable gas or explosion” shall be substituted;

(b) for sub-sections (2) to (5), the following sub-sections shall be substituted, namely:—

“(2) An application for permission under sub-section (1) shall be made by the employer in the prescribed manner stating clearly the reasons for the intended lay-off and a copy of such application shall also be served simultaneously on the workmen concerned in the prescribed manner.

(3) Where the workmen (other than *badli* workmen or casual workmen) of an industrial establishment, being a mine, have been laid-off under sub-section (1) for reasons of fire, flood or excess of inflammable gas or explosion, the employer, in relation to such establishment, shall, within a period of thirty days from the date of commencement of such lay-off, apply, in the prescribed manner, to the appropriate Government or the specified authority for permission to continue the lay-off.

(4) Where an application for permission under sub-section (1) or sub-section (3) has been made, the appropriate Government or the specified authority, after making such enquiry as it thinks fit and after giving a reasonable opportunity of being heard to the employer, the workmen concerned and the persons interested in such lay-off, may, having regard to the genuineness and adequacy of the reasons for such lay-off, the interests of the workmen and all other relevant factors, by order and for reasons to be recorded in writing, grant or refuse to grant such permission and a copy of such order shall be communicated to the employer and the workmen.

(5) Where an application for permission under sub-section (1) or sub-section (3) has been made and the appropriate Government or the specified authority does not communicate the order granting or refusing to grant permission to the employer within a period of sixty days from the date on which such application is made, the permission applied for shall be deemed to have been granted on the expiration of the said period of sixty days.

(6) An order of the appropriate Government or the specified authority granting or refusing to grant permission shall, subject to the provisions of sub-section (7), be final and binding on all the parties concerned and shall remain in force for one year from the date of such order.

(7) The appropriate Government or the specified authority may, either on its own motion or on the application made by the employer or any workman, review its order granting or refusing to grant permission under sub-section (4) or refer the matter or, as the case may be, cause it to be referred, to a Tribunal for adjudication:

Provided that where a reference has been made to a Tribunal under this sub-section, it shall pass an award within a period of thirty days from the date of such reference.

(8) Where no application for permission under sub-section (1) is made, or where no application for permission under sub-section (3) is made within the period specified therein, or where the permission for any lay-off has been refused, such lay-off shall be deemed to be illegal from the date on which the workmen had been laid-off and the workmen shall be entitled to all the benefits under any law for the time being in force as if they had not been laid-off.

(9) Notwithstanding anything contained in the foregoing provisions of this section, the appropriate Government may, if it is satisfied that owing to such exceptional circumstances as accident in the establishment or death of the employer or the like, it is necessary so to do, by order, direct that the provisions of sub-section (1), or, as the case may be, sub-section (3) shall not apply in relation to such establishment for such period as may be specified in the order.”;

(c) sub-section (6) shall be re-numbered as sub-section (10).

5. *Substitution of new section for section 25N.* — For section 25N of the principal Act, the following section shall be substituted, namely:—

“25N. *Conditions precedent to retrenchment of workmen.* — (1) No workman employed in any industrial establishment to which this Chapter applies, who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until,—

(a) the workman has been given three months' notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice; and

(b) the prior permission of the appropriate Government or such authority as may be specified by that Government by notification in the Official Gazette (hereafter in this section referred to as the specified authority) has been obtained on an application made in this behalf.

(2) An application for permission under sub-section (1) shall be made by the employer in the prescribed manner stating clearly the reasons for

the intended retrenchment and a copy of such application shall also be served simultaneously on the workmen concerned in the prescribed manner.

(3) Where an application for permission under sub-section (1) has been made, the appropriate Government or the specified authority, after making such inquiry as it thinks fit and after giving a reasonable opportunity of being heard to the employer, the workmen concerned and the persons interested in such retrenchment, may, having regard to the genuineness and adequacy of the reasons stated by the employer, the interests of the workmen and all other relevant factors, by order and for reasons to be recorded in writing, grant or refuse to grant such permission and a copy of such order shall be communicated to the employer and the workmen.

(4) Where an application for permission has been made under sub-section (1) and the appropriate Government or the specified authority does not communicate the order granting or refusing to grant permission to the employer within a period of sixty days from the date on which such application is made, the permission applied for shall be deemed to have been granted on the expiration of the said period of sixty days.

(5) An order of the appropriate Government or the specified authority granting or refusing to grant permission shall, subject to the provisions of sub-section (6), be final and binding on all the parties concerned and shall remain in force for one year from the date of such order.

(6) The appropriate Government or the specified authority may, either on its own motion or on the application made by the employer or any workman, review its order granting or refusing to grant permission under sub-section (3) or refer the matter or, as the case may be, cause it to be referred, to a Tribunal for adjudication:

Provided that where a reference has been made to a Tribunal under this sub-section, it shall pass an award within a period of thirty days from the date of such reference.

(7) Where no application for permission under sub-section (1) is made, or where the permission for any retrenchment has been refused, such retrenchment shall be deemed to be illegal from the date on which the notice of retrenchment was given to the workman and the workman shall be entitled to all the benefits under any law for the time being in force as if no notice had been given to him.

(8) Notwithstanding anything contained in the foregoing provisions of this section, the appropriate Government may, if it is satisfied that owing to such exceptional circumstances as accident in the establishment or death of the employer or the like, it is necessary so to do, by order, direct that the provisions of sub-section (1) shall not apply in relation to such establishment for such period as may be specified in the order.

(9) Where permission for retrenchment has been granted under sub-section (3) or where permission for retrenchment is deemed to be granted

under sub-section (4), every workman who is employed in that establishment immediately before the date of application for permission under this section shall be entitled to receive, at the time of retrenchment, compensation which shall be equivalent to fifteen days' average pay for every completed year of continuous service or any part thereof in excess of six months."

6. *Amendment of section 25Q.*—In section 25Q of the principal Act, the words, brackets, letter and figures "clause (c) of sub-section (1) or sub-section (4) of" shall be omitted.

7. *Amendment of Act 46 of 1982.*—In the Industrial Disputes (Amendment) Act, 1982,—

(a) in sub-section (2) of section 1, after the words "by notification in the Official Gazette, appoint", the words "and different dates may be appointed for different provisions of this Act" shall be inserted;

(b) section 13 shall be omitted.

The above Bill has been passed by the Houses of Parliament.

*Dated the August, 1984. Chairman.*

I assent to this Bill.

*Dated the August, 1984. President,*